

JOURNAL INQUIRER

By: Rep. Joe Courtney

In the wake of the horrible massacre in Newtown, the entire nation has engaged in a conversation on the issues President Barack Obama raised at Newtown High School's interfaith service Dec. 16. Advocacy for stronger gun laws, better mental health care, and enhanced school safety measures has filled the airwaves and the Internet, setting up a huge challenge to state legislators and the new Congress, which will be sworn in Thursday.

As the representative of Connecticut's most rural district — one with a long history of safe, responsible gun ownership — I can attest that the intensity of messages and opinions have been sky-high.

Interestingly though, instead of strident rhetoric, I have heard thoughtful, nuanced ideas.

For example, I received an email from a certified NRA instructor communicating his support for restrictions on bullet magazine size — a sentiment expressed to me by other gun owners, whom I believe are prepared to support such measures.

My office also received a call from a distraught parent, whose mentally ill son took his own life a short time ago. The parent was boiling with frustration that roadblocks designed to bolster mental health care privacy were instead excluding family input that could save lives.

Lastly, we have heard from school administrators deluged with solicitations from security firms while lacking guidance from public safety experts.

In Washington, colleagues from both parties approached me to express condolences to our

state and communicate that there is a newfound willingness to support legislation restricting high-capacity magazines and stronger background checks at the time of gun purchase.

My takeaway is that as a nation we are ready in ways we haven't been since 1968 to enact stronger measures to reduce gun violence.

Despite the naysayers, this change can occur within the framework of the Second Amendment, even as interpreted by the Roberts Supreme Court.

As conservative Justice Antonin Scalia stated in the milestone *District of Columbia v. Heller* case recognizing the individual right to bear arms, "Like most rights, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose. ... Nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms."

Within that set of boundaries, we immediately need to get serious about mental health background checks for both gun and ammunition purchases and the issuance of gun permits. Without a doubt, background checks are an effective means of keeping guns out of the hands of felons. According to the nonpartisan Congressional Research Service, background checks under the Brady Act blocked 1.6 million gun purchases from 1999 to 2009, mostly because applicants had a felony record.

The foot dragging on collecting data regarding mental health records from Social Security disability, probate courts, and worker compensation must end. This information is available in government records and must be part of any effective background check. I respect patient privacy, but that privacy has to yield when a mental health patient collecting disability is seeking a firearm. As someone who supported lawful gun permit holders in Connecticut with reciprocal recognition in other states, it is time to acknowledge that too many permits are being issued online in states like Virginia, with no meaningful screening procedure. That has to stop.

Second, high-capacity magazines should be banned from sale. As former Hartford Police Chief Bernie Sullivan (and personal gun owner) recently stated, "Nobody but law enforcement and the

military need high-capacity magazines. Hunters don't need more than six bullets. If you are keeping a high-capacity clip in your home for self protection, unless you are invaded by an army, you are likely to hit targets you weren't aiming at."

In his Heller decision, Justice Scalia confirmed that the Second Amendment does not protect all weapons: "We also recognize another important limitation on the right to keep and carry arms ... that the sorts of weapons protected were those 'in common use at the time.' We think that limitation is fairly supported by the historical tradition of prohibiting the carrying of 'dangerous and unusual weapons.'" Under Scalia's reasoning, the sale of new assault weapons that exceed common use can also be excluded.

Finally, educators should get all possible assistance from the U.S. Department of Education, the Department of Justice, and state public safety officials to adopt "best practices" regarding school access and security. Washington should not micromanage our 99,000 public schools, but it should be a helpful partner. As a returning member of the House Education and the Workforce Committee, I have already formally requested hearings to begin this effort as soon as possible.

Sitting in the Newtown High School auditorium Dec. 16, I was struck at how familiar the room felt. It was a place for school assemblies, school plays, and graduations. The folding seats and scratched armrests had been the scene of countless school events that all Americans experience in our life's journey.

To gather at a place normally reserved for celebration and achievements, to mourn such an unspeakable loss, made the pain even more acute.

As the shock of the shooting begins to recede, let us hold on to enough of that pain to make our nation safer.

I believe we are ready to do it.

The writer is a member of the U.S. House of Representatives.

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